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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 007150

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [MOPS](#) [TH](#)
SUBJECT: EXPLAINING THE DECISION TO LIFT MARTIAL LAW

REF: A. BANGKOK 7132 (CABINET APPROVES LIFTING)

- [1](#)B. BANGKOK 6821 (NLA LIFTS MEETING BAN)
- [1](#)C. BANGKOK 6654 (PROTEST AGAINST COUP)

Classified By: Political Officer David R. Greenberg, reason 1.4 (b) and (d).

SUMMARY

[1](#)1. (C) The cabinet's November 28 decision to lift martial law in a majority of Thailand's provinces was due in no small part to a desire to respond to international concerns, although domestic opinion-makers had begun increasingly questioning the need for restrictions on civil liberties. Since September 19, the government has not availed itself of many of the available tools to clamp down on political activities, but some officials appear to want to retain martial law as an insurance policy, i.e. in order to contain potential movements (read Thaksin forces) against the government. Interim Prime Minister Surayud's administration has transferred civilian and military officials who appear loyal to deposed Prime Minister Thaksin, whose popularity has declined, according to a recent poll by a credible institution. These developments may make RTG officials more comfortable with the prospect of gradually lifting martial law in Thaksin's former strongholds -- a step they nonetheless are reluctant to take at present. End Summary.

MOVE GREETED WITH SHRUG IN BANGKOK

[1](#)2. (C) The November 28 announcement that the cabinet would seek royal approval for the rescission of martial law in much of Thailand (ref A) made few waves in Bangkok. The relatively mild reaction and lack of suspense (English language daily "Bangkok Post" devoted more front page space to debate over lottery legalization) probably stems from recent statements by leading officials previewing their intention to lift martial law. Perhaps more importantly, although martial law technically enabled the authorities to conduct searches, seize property, censor publications, and take similar steps, the Thai government has undertaken few such efforts.

[1](#)3. (C) Even before the lifting of martial law, political restrictions had been falling by the wayside. Shortly after the September 19 coup d'etat, criticism of the military leaders began appearing in the newspapers, and it has

continued ever since. Television news broadcasts reported criticism of the interim administration by high-profile figures, like former Prime Minister Chavalit Yongchaiyudh. Bangkok-based former officials of Thaksin's Thai Rak Thai (TRT) Party with whom we have spoken have told us they did not feel intimidated by the new government. Our sense is that the vast majority of middle- and lower-class citizens of Bangkok do not feel inconvenienced or intimidated by martial law. Activists began holding political demonstrations -- admittedly modest in scale -- to promote particular agendas, and even to criticize the coup (ref C). On November 9, the National Legislative Assembly (NLA) voted to rescind a nationwide ban on political gatherings imposed by the coup leaders. Nonetheless, some NGOs, politicians and journalists have remained very critical of martial law.

MILITARY REMAINS WARY

¶4. (C) Military leaders appear to remain concerned by what they have termed "undercurrents" of support for deposed Prime Minister Thaksin. To some extent, these undercurrents simply represent a favorable sentiment toward Thaksin, who actively pursued populist programs that redistributed resources from Bangkok to outlying provinces. Former legislators from TRT (and other parties), anticipating elections in approximately one year, are trying to retain their popularity in their constituencies, and they may be engaging in a type of activism or networking that soldiers find threatening. Some figures have cited the distribution of leaflets which condemn the coup as menacing political activity. At their most extreme (outside of southern Thailand, where militant activity is common), unknown figures have burned down schoolhouses, most likely in order to make a political

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statement, although we cannot rule out other motivations (e.g., disputes over contracts to build new schools). This type of activity has been rare, however.

EXPLAINING THE DECISION

¶5. (C) The simplest explanation for the decision to lift martial law throughout much of Thailand at this time is that the RTG was not using martial law provisions against potential critics or subversives and considered it more of a liability than an asset. Thai observers noted that the retention of martial law made the government appear weak and insecure, providing critics with a powerful talking point. International criticism likely added significantly to the "cost" side of the cost-benefit equation. We believe Surayud felt an obligation to fulfill his privately expressed commitment at the APEC Leaders Meeting to lift martial law by the time of the King's birthday. (In that regard, the cabinet's decision on November 28 represents Surayud's fulfillment of that commitment. The cabinet is unlikely to lift martial law in other provinces in the immediate future, although senior government leaders have told us that a partial lifting of martial law in some additional areas is possible.)

¶6. (C) The government may have grown more confident that it can handle possible outbreaks of violent opposition, in light of some developments since the coup:

- In late September, the annual military reshuffle placed the coup leaders and their allies in top positions; a November reshuffle of lower level officers may also have helped to purge Thaksin sympathizers in the armed forces.

- In late October, Interior Minister Aree Wongarya transferred some provincial Governors appointed by Thaksin (and seen as loyal to him).

- A survey by the respected ABAC polling institute, announced

in late November, showed Surayud's approval rating rising to 70 percent, while Thaksin's popularity reportedly fell to 16 percent. (Comment: Despite ABAC's good reputation, we are wary that these numbers may not accurately reflect public sentiment.)

- Various government agencies appear to be making progress in finding evidence of corruption, tax evasion, and other misdeeds by Thaksin and his family members (septel). Regular revelations of improprieties may further sully Thaksin's image and may indicate a basis for prosecution, which would diminish Thaksin's likelihood of returning to political life.

OUTLOOK

17. (C) Given Thaksin's pervasive influence, vast wealth and famous vindictiveness, the interim government's insecurity -- which likely manifests itself in a desire to retain martial law and whatever other tools they have -- is understandable. However, recent trends cited above -- the dismantling of Thaksin's network, his declining popularity -- will likely increase the comfort level of the cabinet and the Council for National Security to the point where they can support a broader lifting of martial law without having to worry about unleashing pent-up resentment of Thaksin's supporters.

MARTIAL LAW - PAST AND PRESENT

18. (C) As mentioned in ref A, martial law had been in place in parts of 19 provinces prior to the coup (with three other southern provinces covered by an emergency decree). It appears that the RTG had imposed martial law principally in border areas, to address security concerns, smuggling, and illegal migration. Nevertheless, we rarely saw indications that the security forces were exercising actual martial law powers. It is very unlikely that the RTG intends to lift martial law in the sensitive border areas in the foreseeable future, as it has become an established tradition.

19. (C) Districts in 35 of Thailand's 76 provinces are slated to remain under martial law for the time being. Eventually,

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however, the government will come under increasing pressure to lift martial law in much of the North and Northeast, TRT's geographic strongholds. The RTG flatly admits that it cannot yet rescind martial law in many parts of those regions out of fear of "undercurrents" of support for Thaksin. But the RTG likely understands its interests are ill served by a policy that might imply certain portions of the population are less trustworthy than others. It will be important for the USG to encourage the RTG to continually reevaluate the necessity of martial law and to rescind it wherever possible, as soon as possible.

BOYCE